

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LOUIS GIMENEZ GONZALES,

Plaintiff,

1:11-cv-784-CL

v.

ORDER

DENISE PARKER, et al.,

Defendants.

AIKEN, District Judge.

Plaintiff filed a complaint *pro se* alleging violations of his Constitutional rights in connection with a disciplinary hearing at the Snake River Correctional Institution.

On March 19, 2012, defendants filed a Motion for Summary Judgment (#26). On April 5, 2012, plaintiff filed a motion for extension of time to file a response to defendants' motion for summary judgment. Also on April 5, 2012, plaintiff filed a notice of change of address indicating that he is no longer incarcerated. Plaintiff's motion for extension of time was

allowed by Order (#36) entered April 6, 2012. Plaintiff's response was due June 12, 2012.


On October 3, 2012, plaintiff was sent a Summary Judgment Advice Notice at his address of record. On October 9, 2012, the Summary Judgment Advice Notice was returned as undeliverable.

Pursuant to Local Rule 83.10, a party not represented by counsel has a "continuing duty to notify, the clerk's office whenever they change their mailing address or telephone number." When mail from the court to a party cannot be delivered due to the lack of a current address, and the failure continues for sixty (60) days, the court may dismiss the action. Local Rule 83.12.

Plaintiff's has not contacted the court since he filed his notice of change of address in April, 2012. He has not kept the court apprised of his current address as required by the court rules or responded to defendants' motion for summary judgment.

This action is dismissed for failure to prosecute. Defendants' Motion for Summary Judgment (26) is denied as moot.

DATED this 28 day of January, 2013.



Ann Aiken
United States District Judge